

**Fort Monroe
Restoration Advisory Board
Meeting Minutes
November 16, 2006
6:00 PM, Bay Breeze Community Center
Fort Monroe, Virginia**

I. Voting Board Members:

Present: Linda Blackburn, Keith Cannady, Jerry Conley, John Dawson, Kathryn Kelly, John Lowe, Karl Mertig, Cathy Pierce, James Stensvaag, Faith Tucker and Kim Vaughn (Community Co-Chair)

Absent: Michael Dugan, Patricia Gaskins, Dick Mackin, Pat Polen and Rick Russ

II. Non Voting Members:

Present: Garwin Eng (VA Department of Environmental Quality) and Melissa Magowan (Installation Co-Chair)

Absent: Robert Thomson (EPA Region III)

III. Community Alternates:

Present: Raymond Spunzo and Glen Ziemba

Absent: N/A

IV. Others Present:

Bob Edwards (DRM), Jennifer Guerrero (DPW), Wayne Kanoy (PAO), Mr. Lawrence Rouse (SJA), and Dave Sanborn (DPW), Mark Sciacchitano (DPW), and five members of the public.

V. Proceedings:

A. Ms. Vaughn, Community Co-Chair, called the meeting to order at 6:10 p.m.; Mr. Kanoy conducted a roll call of members.

B. Minutes for the October 12, 2006 meeting were approved without change.

1. Old Business:

a. Draft Operating Procedures (OP) were presented for approval.

- 1) Ms. Magowan requested a change to the dates of the regularly scheduled meetings from the first Thursday in March, June, September and December to

the first Thursday in February, May, August and November to accommodate the schedule of Mr. Thomson, EPA, since he has another RAB scheduled for the same days. No one objected, and the change was incorporated into the operating procedures.

- 2) Ms. Tucker requested a change in grammar under Membership, Section III.C, to make "meeting" plural. She also suggested the last sentence of Community Member Absenteeism, Section VII.A, which stated "*Without the ability to vote and make decisions, the RAB is ineffective in structure and consistency with their mission to provide advice on Fort Monroe's clean-up and restoration program,*" was somewhat offensive and not necessary. Mr. Conley agreed. All members concurred, and the changes were made.
- 3) Mr. Conley referred to Voting, Section VI.A, and asked for clarification on whether the Alternate Members were voting members. The group decided to change the wording under Section VI.C, to include Alternate Members as non-voting members.
- 4) Ms. Magowan addressed a change to Membership, Section III.G, regarding the replacement of the TRADOC, Fort Monroe Housing and LRA members. She explained that these members are designated by TRADOC, the Garrison Commander and the LRA, respectively. If the members resigned, their replacements would be designated by their organizations, not by an Alternate member or pool applicant. No one on the Board objected, and the change was included in the OP.
- 5) Ms. Magowan asked for a count of members to ensure there was a quorum present for voting. The count revealed there was a sufficient amount of members present, 12 of 16 voting members, to call for a vote. Ms. Vaughn asked for a vote to approve the OP, and the vote was unanimous to approve the OP with the revisions discussed above.

b. Ms. Magowan discussed the topic of Frequently Asked Questions (FAQs). She requested a volunteer to work with PAO to organize and develop questions and answers to FAQs for publishing on the RAB website. Mr. Mertig said

he would volunteer pending the outcome of the Conflict of Interest decision. Ms. Pierce said she would work with PAO to show them some web sites where other RAB's FAQs were posted to use as a starting point.

c. Conflict of Interest was then open for discussion.

- 1) Mr. Mertig explained that he works for the Chesapeake office of Kimley-Horn & Associates, a firm hired by the LRA's prime contractor developing the Fort Monroe Reuse Plan to study engineering and transportation issues. He works in the Environmental Section of the company and has not been involved in this project. Mr. Eng asked if the company's involvement in the project was complete. Mr. Cannady stated the draft Reuse Plan will be presented in a public meeting on November 20th, and although there may be some revisions required after the meeting, the work is substantially completed.
- 2) Ms. Magowan suggested that members refer to the OP for the definition of Conflicts of Interest in Section VIII.A. Mr. Rouse explained the concept of "true" and "perceived" Conflicts of Interest. True conflicts are when an individual or his/her company stands to directly gain financially or gain a competitive edge from RAB actions or recommendations. Perceived conflicts involve no true conflict; the member's company simply has a contract with activities related to Fort Monroe. Mr. Mertig's disclosure, as well as the fact that he is not a stockholder in the company, nor did he prepare any bids for the contract, did not appear to present a conflict.
- 3) Mr. Spunzo asked that since the RAB is open to the public, how can anyone have an advantage? Ms. Magowan asked Mr. Mertig to leave the room so the Board members could vote to either retain or remove Mr. Mertig. Mr. Conley pointed out the OP did not specify whether the affected member was to be excused from the vote. Mr. Mertig recused himself from the vote. A motion was made and seconded that Mr. Mertig remain on the board. The board voted unanimously to retain him.

- 4) Ms. Magowan asked if the Board wanted to amend the Conflict of Interest section in the OP to read, *"RAB membership, less the member in question, will vote on removing that member."* Ms. Blackburn stated the change made sense. Mr. Conley motioned to amend the OP with this change. Mr. Cannady seconded the proposal, and the Board voted unanimously to pass the amendment.
- 5) Ms. Magowan stated that Ms. Polen sent her an e-mail identifying a potential conflict of interest because of her new job position. Since Ms. Polen could not attend the RAB meeting and could not elaborate on the specifics, it was decided there was not enough information on which to make a decision and deferred discussion to the next meeting.
- 6) Mr. Lowe brought up the fact that Section VIII.B states no DOD contractors can serve on the RAB. He disclosed to the members that he works for a company that has contracts with DOD and the Department of the Interior for manufacturing hardware; he has no contracts at Fort Monroe, and his company does not do work associated with cleanup. Mr. Rouse said he thinks the concern is for environmental contractors that could be involved in the cleanup at Fort Monroe, but he will check Army guidelines and the DOD RAB Final Rule to get clarification on the intent. He requested Mr. Lowe provide a written disclosure; he will review and present his findings at the next meeting.

2. New Business:

a. Ms. Guerrero discussed document dissemination. She stated wherever possible documents will be posted on the RAB website. However, due to space restriction, documents greater than 4MB will be copied onto compact discs and provided to the Board. Members can also request hard copies of any documents. An Information Repository will be established at the Hampton Library's Main Branch, located at 4207 Victoria Boulevard, in the Special Collections section. Mr Cannady stated there will also be a link to the RAB website from the Hampton website.

b. Ms. Magowan advised that any interested members of the public can be added to the mailing list by providing their mailing information to the Fort Monroe Public Affairs Office.

c. Ms. Blackburn asked if repositories could also be established in the York County and Newport News libraries. Ms. Magowan stated that RAB community members can establish the repositories. If they are interested, the government will provide the documents for the repositories. Ms. Blackburn volunteered to spearhead that effort.

d. Ms. Guerrero stated that an e-mail box will be available on the RAB website for anyone to write in questions. The questions and subsequent answers will be added to the FAQs and posted on the website.

VI. Non-Agenda Items:

Mr. Dawson stated there was a possibility the Buckroe Pier could be moved to Fort Monroe property. Ms. Magowan asserted the RAB only discusses restoration issues, and this issue may not fit into that category. Ms. Guerrero emphasized the RAB could only address this issue if cleanup activities were to occur where the pier placement was being proposed. Mr. Rouse stated the RAB may look at it if there is an actual proposal to put the pier on Army land; however, since this is just a concept, we cannot act on it now. Mr. Dawson asked about RAB's interface with the LRA, and Ms. Magowan informed him the LRA appointed two members to the RAB; Mr. Cannady provided Mr. Dawson his phone number. Mr. Cannady stated he only knew about by reading it in the Daily Press, as the LRA's Reuse plan does not include this pier.

VII. Questions from the Public: None asked.

VIII. The Way Ahead

A. Ms. Guerrero described available training.

1. CERCLA-basic instruction on the process, its' sequence of events and its' acronyms. This training will take approximately 45 minutes.

2. Relative Risk Site Evaluation - a process to prioritize sites in order to address high risk sites first. The main focus is on hazardous substances, pollutants and petroleum products. Prioritization is also required because of budget constraints.

3. Munitions Site Response Prioritization Protocol- prioritization process for sites known or suspected to contain munitions. It is more intensive training that is usually a two-day class presented by Ordnance and Explosives technicians from US Army Technical Center for Explosive Safety (USATCES) or the Corps of Engineers; there is also a four-hour modified version developed by the Army Environmental Center. Ms. Pierce stated that she knows individuals at USATCES and will assist in getting help from them.

4. Ms. Blackburn asked if handouts will be provided at training. Ms. Guerrero stated they will be provided at training, posted on the RAB website and placed in the repository.

5. Ms. Pierce asked if there is anything containing definitions, acronyms, etc. that can be downloaded and sent out to all. Ms. Magowan stated the government would research and, if available, would send out prior to the February meeting.

6. Ms. Magowan proposed that CERCLA training be given at the February meeting; the RAB members concurred.

B. Ms. Magowan discussed the concept of Early Transfer, transferring the property before it is cleaned up. Although Fort Monroe will close in 2011, the LRA has expressed interest in transferring the property early and hiring a private contractor to conduct cleanup. The state, to whom the land will revert, has not inquired about Early Transfer as of yet.

C. Ms. Guerrero announced the BRAC Installation Action Plan (BIAP) Workshop is scheduled for 11 January 2007. This will be a full day's workshop among the Army, DEQ, EPA and the LRA to develop a plan and schedule for the next steps in the cleanup process. Particular sites and activities will be discussed for FY07/08 so budgets can be developed in time for the Spring 07 submission. Ms. Magowan invited all RAB members to attend the BIAP Workshop, and agreed to notify them of the place and time. Ms. Guerrero requested members to notify her in advance if they planned on attending.

X. Adjournment:

- A. The February meeting will include CERCLA training and a summary of the BIAP workshop.
- B. Any RAB members planning on attending the BIAP workshop must notify the government co-chair to ensure sufficient space is reserved.
- C. The meeting was adjourned at 7:35PM.

2006 Attendance Roster Fort Monroe Restoration Advisory Board

	September 19 th	October 12 th	November 16 th
CO-CHAIRS			
Ms. Kim Vaughn	✓	✓	✓
Ms. Melissa Magowan	✓	✓	✓
BOARD MEMBERS			
Ms. Linda Blackburn	✓	E	✓
Mr. Jerry Conley	✓	✓	✓
Mr. John Dawson	E	E	✓
MAJ Michael Dugan	✓	✓	E
Mr. Garwin Eng	✓	✓	✓
Ms. Patricia Gaskins	✓	✓	E
Ms. Kathryn Kelly	✓	✓	✓
Mr. John Lowe	✓	X	✓
Mr. Dick Mackin	✓	✓	E
Mr. Karl Mertig	✓	✓	✓
Ms. Cathy Pierce	✓	✓	✓
Ms. Pat Polen	✓	✓	E
Dr. Jim Stensvagg	✓	✓	✓
Mr. Rob Thomson	E	✓	E
Ms. Faith Tucker	✓	✓	✓
Mr. Keith Cannady	✓	X	✓
Mr. Rick Russ,	✓	✓	X
Mr. Ray Spunzo, Alternate	✓	✓	✓
Mr. Glen Ziemba, Alternate	✓	✓	✓
TECHNICAL ATTENDEES			
Elaine Anderegg (ACSIM)	✓	✓	
Bob Edwards (DRM)	✓	✓	✓
CPT Kurt Gilabert (SJA)	✓		
Jennifer Guerrero (DPW)	✓	✓	✓
Mike Hodson (PAO)	✓	✓	
Ron Pinkoski (DPW)	✓		
Larry Rouse (SJA)		✓	✓
Dave Sanborn (DPW)	✓		✓
Mark Sciacchitano (DPW)	✓	✓	✓
Roger Walton (AEC)	✓	✓	
Cliff Whitehouse (PAI)	✓	✓	
Wayne Kanoy (PAO)			✓

✓ = Present

E = Excused

X = Absent